

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

TODD SHOEMATE,

Plaintiff,

Case No. 1:10-cv-298

v.

Hon. Janet T. Neff

METAL WORKS, INC.,

Defendant.

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ORDER AND JUDGMENT
APPROVING REPORT AND RECOMMENDATION

The court has reviewed the Report and Recommendation filed by the United States Magistrate Judge in this action. The Report and Recommendation was duly served on the parties. No objections have been filed pursuant to 28 U.S.C. § 636(b)(1)(C).

THEREFORE, IT IS ORDERED that the Report and Recommendation of the Magistrate Judge, filed August 24, 2010, is approved and adopted as the opinion of the court.

IT IS FURTHER ORDERED that Defendant's Motion to Dismiss (Dkt. 9) is granted in part and denied in part and Plaintiff's Action is dismissed in part and remanded to state court in part.

Dated: September 16, 2010

/s/Janet T. Neff

JANET T. NEFF

UNITED STATES DISTRICT JUDGE